

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

MANUEL COOPER

PETITIONER

V.

CIVIL ACTION NO.: 3:14CV119-SA-RP

MARSHALL FISHER and
ATTORNEY GENERAL OF THE STATE OF MISSISSIPPI

RESPONDENTS

ORDER APPOINTING COUNSEL

This matter is before the Court, *sua sponte*, for consideration of the appointment of counsel in this cause. After the United States Court of Appeals for the Fifth Circuit appointed attorney A.E. Harlow, Jr., as counsel for Petitioner Manuel Cooper and subsequently entered judgment remanding this case for a determination as to whether Cooper is entitled to equitable tolling of the one-year limitations period applicable to his federal habeas petition, this Court held an evidentiary hearing at which Cooper was represented by Attorney Harlow. *See* Docs. # 28, #29, #30, & #41. Following the hearing, this Court determined that Cooper is entitled to have the limitations period equitably tolled and ordered Respondents to file an answer to the petition. *See* Doc. #41.

On its face, the order appointing Attorney Harlow ended upon conclusion of Cooper's appeal. However, Cooper, an indigent prisoner, was also entitled to counsel at the evidentiary hearing held by this Court. *See* Rule 8(c) of Rules Governing § 2254 Cases. Accordingly, to ensure that Attorney Harlow is compensated for the assistance he has rendered, the Court appoints Attorney Harlow as counsel for Cooper *nunc pro tunc* to March 10, 2017, the date on which an evidentiary hearing was ordered in this matter. *See, e.g.,* Doc. #30. The Court

additionally finds that it is in the interests of justice to allow Attorney Harlow's representation of Cooper to continue. *See* 18 U.S.C. § 3006A(a)(2)(B). Therefore, it is **ORDERED**:

1. That A.E. Harlow, Jr., Harlow Law Firm, 850 Lakeview Drive, Grenada, Mississippi, 38901 is hereby appointed counsel for Petitioner *nunc pro tunc* to March 10, 2017.

2. That the Clerk is **DIRECTED** to send Attorney Harlow the vouchers and forms necessary to obtain reimbursement for fees and compensation for services rendered in connection with this cause.

THIS the 21st day of July, 2017.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE